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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,418	01/16/2004	Christoph Krieglmeyer	03P00999	5645
24252	7590	06/28/2006	EXAMINER	
OSRAM SYLVANIA INC 100 ENDICOTT STREET DANVERS, MA 01923			ARTMAN, THOMAS R	
			ART UNIT	PAPER NUMBER
			2882	

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Please find below and/or attached an Office communication concerning this application or proceeding.

21/

# Office Action Summary

Application No. 10/758,418		Applicant(s) KRIEGLMEYER, CHRISTOPH	
Examiner Thomas R. Artman		Art Unit 2882	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-5, 7-11 and 13 is/are allowed.
- 6) ☒ Claim(s) 1, 6 and 12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>16 January 2004</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Objections***

Claims 1-3 and 6-8 are objected to because of the following informalities: in all of the above claims, the phrase “fixed at least two different locations” should have the term “to” inserted after the term “fixed” for grammatical correctness and clarity. The phrase appears in claim 1, line 6; claim 2, line 6; claim 3, line 6; claim 6, line 11; claim 7, line 11; and claim 8, line 11. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Friederichs et al. (US Patent 5,744,901; hereinafter Friederichs) in view of Work et al. (US Patent 6,111,359; hereinafter Work).

Friederichs discloses, in figures 1-2 and throughout the disclosure, a reflector for an electric lamp, the reflector having:

- a reflector body (1) with an inner side, designed in an optically reflecting fashion, and an outer side as well as at least one cutout for a lamp (10) or lamp part, and

- at least one metallic contact element (40) that is designed as an angular contact lug being fastened on the outer side of the reflector body,
  - wherein the at least one contact lug is fixed at least two different locations of the reflector body with the aid of claws or barbs (26) that are integrally formed on the at least one contact lug.

However, Friederichs teaches that the reflector body is made of glass rather than consisting of an electrically insulating plastic.

Work discloses a reflector body composed of either glass or electrically insulating plastic (column 16, lines 23-26).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute electrically insulating plastic for the glass of Friederichs because it is less costly to manufacture and produces a lighter product.

Claims 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krieg et al. (US Patent 4,623,815; hereinafter Krieg) in view of Work.

Re claim 6: Krieg discloses, in figures 2,4 and 5 and throughout the disclosure, a reflector lamp having a reflector and an electric lamp, wherein:

- the electric lamp has at least one supply lead (15) projecting from a lamp vessel (24), for a luminous means enclosed in the lamp vessel;
- the reflector (11) has a reflector body with an inner side, designed in an optically reflecting fashion, and an outer side,

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- the reflector body having at least one cutout, through which the at least one supply lead is led, and at least one metallic contact element (16) that is fastened on its outer side and is connected to the at least one supply lead, and is designed as an angular contact lug,
  - the at least one contact lug is fixed at least two different locations of the reflector body with the aid of claws or barbs (18) that are integrally formed on the at least one contact lug.

Kreig further discloses the reflector body consisting of an electrically insulating material, specifically ceramic. However, Kreig fails to explicitly suggest the use of plastic.

Work discloses a reflector body composed of either glass or electrically insulating plastic (column 16, lines 23-26).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute electrically insulating plastic for the glass of Friederichs because it is less costly to manufacture and produces a lighter product.

Re claim 12: Friederichs discloses a welded connection existing between the at least one supply lead and the at least one contact lug (column 3, line 38).

*Allowable Subject Matter*

Claims 2-5,7-11 and 13 are allowed, provided that the informalities indicated in the claim objections above are corrected.

The following is a statement of reasons for the indication of allowable subject matter:

Re claims 2,7 and 11: The best prior art of record discloses a reflector for an electric lamp having many of the features of the instant invention including the at least one contact lug. However, the prior art fails to teach or fairly suggest a reflector for an electric lamp wherein the reflector body has at least one pin integrally formed on the outer side of the reflector body, and a first limb of the at least one contact lug has a cutout in which the at least one pin is arranged with a clamping fit, the cutout being provided with the claws or barbs, as claimed in claims 2 and 7.

Claim 11 is allowable by virtue of its dependency.

Re claims 3-5,9-10 and 13: The best prior art of record discloses a reflector for an electric lamp having many of the features of the instant invention, including the at least one contact lug. However, the prior art fails to teach or fairly suggest a reflector for an electric lamp wherein the reflector body has on its outer side at least one depression in which there is arranged a part of the contact lug that extends transverse to a first limb of the at least one metallic contact lug, the part of the at least one metallic contact lug that extends transverse to the first limb being provided with the claws or barbs, as claimed in claims 3 and 8.

Claims 4,5,9,10 and 13 are allowable by virtue of their dependency.

*Response to Arguments*

Applicant's arguments filed March 27, 2006, have been fully considered but they are not persuasive. First, Applicants' assert a special definition to the term "contact lug" and further assert that the prior art reference Friederichs does not disclose such elements with respect to claim 1. Second, Applicants' further assert that there are no claws or barbs disclosed in Krieg that fix the contact lugs to the reflector, with respect to claim 6. Third, and finally, Applicants assert that Work does not disclose a plastic insulating reflector. The examiner respectfully disagrees.

First, Applicants assert that the term "contact lug" has the known function of providing electrical connection for a lamp. Though such a distinction may be true, the examiner wishes to point out that claim 1 does not require such a distinction. The claim is directed to a reflector and a metallic contact element that is fixed to the reflector as required by lines 5-8 of claim 1. There is no lamp or any such feature claimed that requires an electrical connection. The phrase "for an electric lamp" in the preamble (line 1 of claim 1) is directed to an intended use of the reflector and thus carries no patentable weight. Furthermore, the portion of the reflector body that the contact element is connected to is electrically insulating. Thus, there is no electrical connection or electrical path claimed. Therefore, the claim neither requires nor suggests the special functional definition of a "contact lug" relied upon by Applicants.

For contrast, independent claim 6 positively recites a lamp that has a supply lead, etc., and in this context, the special definition of a "contact lug" has meaning.

As a result of this analysis, the “metallic contact member” and the manner by which it is fixed to the outer portion of the reflector, as disclosed by Friederichs, is sufficient in meeting these limitations of claim 1 as stated in the above rejection.

Second, Applicants assert that the contact lugs of Krieg do not have claws or barbs that fix the contact lug to the reflector, as required by claim 6. One point the examiner wishes to make is that the claim language does not require that the contact lugs be in direct contact with the reflector; that is to say, the claim language does not exclude additional structural features physically between the contact lugs and the reflector body. As a result, the contact lugs of Krieg are fixed to the reflector as claimed.

The other important point is that, according to col.3, lines 42-50 of Krieg, the lugs have barbs 18 which crimp around the support 12, which is fixed to the reflector body 11. These barbs 18 form part of the fixed connection that fixes the contact lug to the reflector body. The claim language does not exclude additional fixing means, such as the rivets 30 of Krieg.

For these reasons, the barbs 18 of Krieg suffice to meet the claimed “claws or barbs” in the combination as claimed in claim 6.

Third, and finally, it is clear from the above rejections and from the disclosure of Work that a plastic reflector is used, at least for the obvious advantage of providing a lighting device of lighter weight and economical manufacture.



For at least these reasons, Applicants' arguments are not persuasive, and the rejections of claims 1 and 6 stand.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas R. Artman whose telephone number is (571) 272-2485. The examiner can normally be reached on 9am - 5:30pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thomas R. Artman  
Patent Examiner



6/20/06



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